

HOUSE BILL No. 1451

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-18-29; IC 14-8-2-197; IC 14-12-2-25; IC 14-14-1-6; IC 14-19-8.

Synopsis: Environmental license plate fee proceeds. Provides that the annual fee paid for an environmental license plate (fees) shall be distributed to the state parks and reservoirs special revenue fund (fund) from July 1, 2005, through June 30, 2007. (Current law requires that the fees are distributed to the heritage trust fund.) Requires the director of the department of natural resources to expend the money in the fund from the fees for improving and upgrading state park projects. Repeals and relocates the definition of "park project" for purposes of natural and cultural resources law.

Effective: Upon passage.

Duncan

January 18, 2005, read first time and referred to Committee on Natural Resources.

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First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1451

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-18-29-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The annual
3 fee described in section (4)(a)(2) of this chapter shall be deposited with
4 the treasurer of state in a special fund.

5 (b) **Except as provided in section 5.5 of this chapter**, the auditor
6 of state shall monthly distribute the money in the special fund
7 established under subsection (a) to the Indiana heritage trust fund
8 established by IC 14-12-2-25.

9 SECTION 2. IC 9-18-29-5.5 IS ADDED TO THE INDIANA CODE
10 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
11 UPON PASSAGE]: **Sec. 5.5. (a) Effective July 1, 2005, the auditor**
12 **of state shall monthly distribute the money in the special fund**
13 **established under section 5(a) of this chapter to the state parks and**
14 **reservoirs special revenue fund established by IC 14-19-8-2.**

15 (b) **This section expires June 30, 2007.**

16 SECTION 3. IC 14-8-2-197 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 197. (a) "Park



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project", for purposes of IC 14-14-1 ~~has the meaning set forth in~~
~~IC 14-14-1-6.~~ and IC 14-19-8-4(b), includes facilities, renovations,
 improvements, adjuncts, and appurtenances necessary or proper
 to the operation of public parks, such as the following:

- (1) Means of ingress and egress and interior arterial systems.
- (2) Food and lodging facilities.
- (3) Camping areas.
- (4) Boating facilities.
- (5) Public participation sports facilities.
- (6) Parking lots.
- (7) Garages.
- (8) Trailer sites.
- (9) Automotive service facilities.
- (10) Communication systems.
- (11) Sewers, drains, and other sanitary facilities for the treatment of sewage, garbage, and wastes.
- (12) The furnishing of utility service necessary to serve the property under the jurisdiction or control of the commission.
- (13) Other buildings and facilities whose acquisition and use are consistent with the purposes of this chapter.

(b) The term does not include the following:

- (1) Parks and park facilities of political subdivisions of the state.
- (2) The acquisition of railroad rights-of-way.

SECTION 4. IC 14-12-2-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. (a) The Indiana heritage trust fund is established for the purpose of purchasing property as provided in this chapter.

(b) The fund consists of the following:

- (1) Appropriations made by the general assembly.
- (2) Interest as provided in subsection (e).
- (3) Fees from environmental license plates issued under IC 9-18-29, **except as provided in IC 9-18-29-5.5.**
- (4) Money donated to the fund.
- (5) Money transferred to the fund from other funds.

(c) The department shall administer the fund.

(d) The expenses of administering the fund and this chapter shall be paid from the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

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(f) An appropriation made by the general assembly to the fund shall be allotted and allocated at the beginning of the fiscal period for which the appropriation was made.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund or any other fund.

(h) Subject to this chapter, there is annually appropriated to the department all money in the fund for the purposes of this chapter.

SECTION 5. IC 14-19-8-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The fund consists of the following:

(1) All revenues accruing to the department from the operation of the state parks.

(2) All revenues accruing to the department from the operation of reservoirs.

(3) Other sources as specified by law, **including distributions from the special fund established by IC 9-18-29-5(a), as provided by IC 9-18-29-5.5.**

(b) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

SECTION 6. IC 14-19-8-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. **(a) Except as provided in subsection (b),** the money in the fund may be expended by the director exclusively for the operation of the state parks and reservoirs. The director shall submit, in accordance with IC 4-12-1, a suggested budget for appropriations and expenditures from the fund. The director shall use money appropriated by the general assembly from the fund to the department in accordance with this chapter and the terms of the appropriation.

(b) Effective July 1, 2005, the money in the fund that consists of distributions from the special fund established by IC 9-18-29-5(a) and distributed in accordance with IC 9-18-29-5.5 shall be expended by the director exclusively for improving and upgrading park projects. This subsection expires June 30, 2007.

SECTION 7. IC 14-14-1-6 IS REPEALED [EFFECTIVE UPON PASSAGE].

SECTION 8. **An emergency is declared for this act.**

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